

By: Harris

S.B. No. 395

A BILL TO BE ENTITLED

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AN ACT

relating to dismissal of the charge in certain traffic offense cases.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (b), Section 502.407, Transportation Code, is amended to read as follows:

(b) A justice of the peace or municipal court judge having jurisdiction of the offense may:

(1) dismiss a charge of driving with an expired motor vehicle registration if the defendant:

(A) remedies the defect not later than the 20th [~~10th~~] working day after the date of the offense or before the defendant's first court appearance date, whichever is later; and

(B) establishes that the fee prescribed by Section 502.176 has been paid; and

(2) assess an administrative fee not to exceed \$20 [~~\$10~~] when the charge is dismissed.

SECTION 2. Section 521.026, Transportation Code, is amended to read as follows:

Sec. 521.026. DISMISSAL OF EXPIRED LICENSE CHARGE. (a) A judge may dismiss a charge of driving with an expired license if the defendant remedies this defect within 20 [~~10~~] working days or before the defendant's first court appearance date, whichever is later.

1 (b) The judge may assess the defendant an administrative fee
2 not to exceed \$20 [~~\$10~~] when the charge of driving with an expired
3 driver's license is dismissed under Subsection (a).

4 SECTION 3. Subsection (b), Section 548.605, Transportation
5 Code, is amended to read as follows:

6 (b) The court shall:

7 (1) dismiss a charge of driving with an expired
8 inspection certificate if:

9 (A) the defendant remedies the defect within 20
10 [~~10~~] working days or before the defendant's first court appearance
11 date, whichever is later; and

12 (B) the inspection certificate has not been
13 expired for more than 60 days; and

14 (2) assess an administrative fee not to exceed \$20
15 [~~\$10~~] when the charge of driving with an expired inspection
16 certificate has been remedied.

17 SECTION 4. This Act takes effect September 1, 2007.